

# Exhibit 55

*United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.*

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci  
In Support of Plaintiff's Motion for Partial Summary Judgment and  
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment

Coval, Paul J.

From: WATERER, JUDY ROXUS  
 Sent: Friday, October 02, 1998 11:52 AM  
 To: Grinton, Christopher SGEPH BIGDE  
 Cc: TUPA, EDWARD ROXUS  
 Subject: RE: BII GmbH enquiry

Ipratropium Bromide Pricing - Medispan 9/30/98

NDC#	Product Name	Supplier	AWP	WAC
00597-0080-62	Atrovent Solution for Inhalation	Boehringer Ingelheim	\$ 55.62	\$ 46.35
00054-8402-11	Ipratropium Bromide Solution for Inhalation	Roxane Laboratories	\$ 44.06	\$ 20.50
00054-8402-13	Ipratropium Bromide Solution for Inhalation	Roxane Laboratories	\$ 52.87	\$ 24.60
00054-8402-21	Ipratropium Bromide Solution for Inhalation	Roxane Laboratories	\$ 105.74	\$ 49.20
49502-0685-03	Ipratropium Bromide Solution for Inhalation	Dey Laboratories	\$ 44.10	\$ 20.25
49502-0685-33	Ipratropium Bromide Solution for Inhalation	Dey Laboratories	\$ 52.80	\$ 24.30
49502-0685-60	Ipratropium Bromide Solution for Inhalation	Dey Laboratories	\$ 105.60	\$ 48.60

As a reminder... These are published prices only. The AWP and WAC have little relation to actual net selling price after chargebacks, discounts, rebates, etc. We are currently matching offers from Dey, in order to keep our business, in the \$13 range (for 25 vials). Customers purchase through bid prices utilizing the chargeback system and/or receive rebates, discounts and incentives in order to remain competitive with Dey offerings. If you have further questions, please do not hesitate to let me know.

Kind Regards,

**Judy Waterer**  
 Manager, Program Development  
 Multisource Products  
 Phone: 614-276-4000 ext. 2480  
 Fax: 614-276-2470 or 614-276-3786

Original Message

From: Grinton, Christopher SGEPH BIGDE  
 Sent: Wednesday, September 30, 1998 11:11 AM  
 To: TUPA, EDWARD ROXUS  
 Cc: WATERER, JUDY ROXUS  
 Subject: RE: BII GmbH enquiry

Dear Ed

We would like to ascertain the ex-factory price(s) before rebates / discounts are applied.

Kind regards  
 Chris.

Original Message

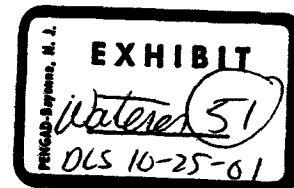
From: TUPA, EDWARD ROXUS  
 Sent: Wednesday, September 30, 1998 1:40 PM  
 To: Grinton, Christopher SGEPH BIGDE  
 Cc: WATERER, JUDY ROXUS  
 Subject: RE: BII GmbH enquiry

We shall provide the information you request, but first we need to ask that you clarify your question. Do you want the manufacturers catalog price to wholesalers or the estimated actual selling price after all rebates and chargebacks? Or, do you want the estimated selling price by the wholesaler to the retailer? Once clarified, I will have Judy Waterer respond accordingly.

Original Message

From: Grinton, Christopher SGEPH BIGDE  
 Sent: Tuesday, September 29, 1998 1:17 PM  
 To: TUPA, EDWARD ROXUS  
 Cc: WATERER, JUDY ROXUS  
 Subject: BII GmbH enquiry

Dear Ed



BII GmbH would greatly appreciate assistance with data needed by us to enter into a forecast model for BII's total respiratory business. The info. requested is as follows:

1. The (wholesale) price of ipratropium bromide unit dose vials ex Roxane.
2. The (wholesale) price of ipratropium bromide unit dose vials ex. Dey Labs.

The info. would be used confidentially within this model only, and for internal purposes only.

Hoping you can help

Kind regards

Christopher Grinton  
Respiratory Product Manager  
Corporate Division Marketing Medical Practices  
Boehringer Ingelheim GmbH  
Tel: 0049 (0)6132 77 2725  
Fax: 0049 (0)6132 77 7452